



**US Army Corps
Of Engineers**

Walla Walla District
201 North Third Avenue
Walla Walla, WA 99362-1876

Public Notice

Proposed Mitigation Bank: Salmon Meadows Mitigation Bank

Date of Notice: September 26, 2014

Comments Due Date: October 26, 2014

30-Day Notice

We are soliciting comments on a proposed mitigation bank in Adams County, Idaho. The Salmon Meadows Mitigation Bank will modify the approved Umbrella Mitigation Banking Instrument, The Wetlands Banks of Idaho (File No. 2009-24) by adding a new mitigation bank under the terms and conditions of the umbrella bank. This new mitigation bank is described in detail in the August 18, 2014 Wetland Mitigation Plan, Salmon Meadows Mitigation Bank, prepared by The Wetlands Group, LLC which is located on our website under the heading "Current Public Notices" at <http://www.usace.army.mil/BusinessWithUs/RegulatoryDivision.aspx>. If you do not have internet access and would like a copy of the mitigation plan, please call 509-527-7150 and we will mail you a copy.

Mitigation banks provide for the replacement of the functions provided by the wetlands and other aquatic resources which are lost as a result of impacts authorized under Section 404 of the Clean Water Act. Section 404 regulates the discharge of dredged or fill material in the nation's waters. Using appropriate methods, the newly established functions are quantified as mitigation credits, which are available for use by the bank sponsor or by other parties to compensate for adverse impacts (i.e. debits). The use of credits may only be authorized for the purpose of complying with Section 404 impacts when adverse impacts are unavoidable. Mitigation banks must have an approved mitigation plan and other assurances in place before any credits can be used to offset permitted impacts. Because of the higher likelihood of success and increased certainty associated with mitigation banks, mitigation banks are preferred over other forms of aquatic resource mitigation. For additional information on mitigation banking, See Compensatory Mitigation of Losses of Aquatic Resources; Final Rule, 33 CFR Parts 325 and 332, April 10, 2008. This guide is available on our website.

Section 404 of the Clean Water Act requires a Department of the Army permit for the discharge of dredged or fill material into waters of the United States, including wetlands. This includes excavation activities that result in the discharge of dredged or fill material and destroy or degrade waters of the United States. Applicants who apply for a permit to fill aquatic resources are required to avoid and minimize as much as possible. Any remaining impacts must be offset with compensatory mitigation to replace lost aquatic resource functions.

This public notice provides the public with a chance to comment on a mitigation bank that will be developed under the terms and conditions of an already approved umbrella mitigation banking instrument. We are particularly interested in your comments on the service area, crediting and debiting procedures, credit release schedule, performance standards, financial assurance and long term protection of the mitigation bank wetlands.

AUTHORITY: Section 404 of the Clean Water Act (33 USC 1344)

MITIGATION BANK SPONSOR: The Wetlands Group, LLC, 100 S. Star Road, Suite 112, Star, Idaho 83669. For additional information, contact Mr. Gary W. Howard at 208-375-5373.

LOCATION: The proposed mitigation bank is located approximately 0.66 miles SE of New Meadows, Idaho near the intersection of South End Road and Substation Road, in the East ½ of Section 23 of Township 19 North, Range 1 East, near latitude 44.964083 N and longitude -116.293825 W, in Adams County, Idaho. The bank site is within a 30.99 acre parcel owned by the bank sponsor of which 27.99 acres is upland, 1.48 acre is wetland and 1.52 acre is open water associated with the Little Salmon River and Big Creek which flow across the property from south to north (See Figures 1 and 2).

PROPOSED ACTIVITY: The bank sponsor proposes to establish 10 acres of palustrine scrub-shrub and 6 acres of palustrine forested wetlands within an upland area presently used for live stock grazing. The existing 1.48 acres of wetland will not be disturbed; will be incorporated into the design but will not be part of the proposed mitigation bank. The existing wetlands may be proposed to be enhanced at some time in the future. The mitigation plan consists of excavating the site down to an elevation above the ground water table where ground water will saturate the soils and create conditions for a self sustaining wetland. The proposed surface elevations are shown in the grading plan (Figure 4). Elevations shown on the grading plan are based on groundwater observations taken from two existing shallow wells at locations shown on Figure 5. The proposed surface elevations are designed to take advantage of existing topography at the bank site. The created wetlands would be designed to blend with the existing natural wetlands that parallel the Little Salmon River and Big Creek and uplands in the vicinity. All excavated material would be hauled to upland areas on the property not proposed to be developed into a wetland for disposal.

PURPOSE: Develop a wetland mitigation bank for use by private, commercial and governmental entities to mitigate wetland impacts in the service area. The mitigation bank would provide compensation prior to permit impacts.

SERVICE AREA: The service area is a geographic area within which impacts can be mitigated at the mitigation bank. The bank sponsor proposes the service area identified in Section 4, Page 5 of the mitigation plan. The primary service area for the mitigation bank would be the Little Salmon River (HUC 17060210); Lower Salmon (HUC 17060209); North Fork Payette River (HUC 17050123); and the Weiser River (HUC 17050124).

The bank sponsor also proposes secondary service areas to include: Payette River (HUC 17050122); Middle Fork Payette River (HUC 17050121); South Fork Salmon (HUC 17060208); Middle Fork Salmon-Chamberlain (HUC 17060207); Hells Canyon (HUC 17060101); and Brownlee Reservoir (HUC 17050201).

The primary and secondary service areas are shown on Figure 3.

CULTURAL RESOURCES: Coordination is currently being conducted with the office of the Idaho State Historic Preservation Officer to determine if this activity will affect a site that is listed on the National Register of Historic Places, or a site that may be eligible for listing on the Register. We are also coordinating with the appropriate Tribal entity or the Tribal Historic Preservation Offices for the Shoshone-Bannock Tribes of the Fort Hall Reservation and the Nez Perce Tribe, to determine if there are any tribal historic or cultural interests within the project area.

TRIBAL TREATY RIGHTS and INTERESTS: Federal agencies acknowledge the federal trust responsibility arising from treaties, statutes, executive orders and the historical relations between the United States and American Indian Tribes. The Federal Government has a unique trust relationship with federally recognized American Indian Tribes, including the Shoshone-Bannock and the Nez Perce Tribe.

The Corps has a responsibility and obligation to consider and consult on potential effects to Tribal rights, uses and interests. The Corps further recognizes there may be a need for additional and ongoing consultation.

ENDANGERED SPECIES: No listed threatened or endangered species or designated critical habitats are known to exist in the project area. Coordination is currently being conducted with the U.S. Fish and Wildlife Service (USFWS) to determine if the activity will have any effect on species designated as endangered or threatened under the Endangered Species Act, or their critical habitat, under the Endangered Species Act of 1973.

ADDITIONAL INFORMATION: For additional information from the Corps of Engineers about the mitigation plan, you may call Greg Martinez at the Boise Regulatory Field Office at 208-345-2154.

EVALUATION: The decision to modify the umbrella banking instrument by adding the Salmon Meadow Wetland Mitigation Bank will be based on an evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. This decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and in general the needs and welfare of the people.

PUBLIC HEARING: Any person may request in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposed activity. Requests for a public hearing shall state specific reasons for holding a public hearing.

COMMENT PERIOD: The Corps of Engineers is soliciting comments from the general public, Federal, state and local agencies and officials, Indian Tribes and other interested parties to formulate parameters, terms and conditions for the final wetlands mitigation bank. Any comments received will be considered in discussion with the bank sponsor and members of the Inter-Agency Review Team to modify the mitigation plan.

Please mail all comments to:

U.S. Army Corps of Engineers
Gregory J. Martinez
Boise Regulatory Field Office
10095 West Emerald Street
Boise, Idaho 83704
greg.j.martinez@usace.army.mil

All submitted comments will be made part of the public record. The Corps will consider all comments in developing the final Salmon Meadows Mitigation Plan. Comments should be received no later than the comment due date of **October 26, 2014**, as indicated on this notice, to receive consideration.

Gregory J. Martinez
Project Manager, Regulatory Division